

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COPY

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ESTER LORUSSO,

Plaintiff,

-against-

Civil Action No.
1:07-CV-03583

ALITALIA-LINEE AEREE ITALIANE, SpA,

Defendant.
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April 18, 2008
10:09 a.m.

Videotaped Deposition of ANDREA SCIARRESTI,
taken by Plaintiffs,, at the offices of The
Ottinger Firm, PC, 19 Fulton Street New York,
New York, before SUZANNE PASTOR, a Shorthand
Reporter and Notary Public within and for the
State of New York.

ANDREA SCIARRESI

company.

Q. That's what Mr. Libutti told you?

A. Yes.

Q. Did you say anything to him when he said he wanted to do that?

A. Sorry?

Q. Did you say anything to him when he told you that he wanted to do that?

A. Yes, I told him that this was illegal.

Q. And what did he say?

A. He said I don't care, I need to make this plan and I will go on with like that.

Q. Would that plan that Mr. Libutti explained to you have an impact on Ester LoRusso?

A. Yes.

Q. How so?

A. How?

Q. How?

A. Okay. Because Ms. LoRusso was one of the colleagues in the senior positions in the company, and it was long seniority in the company. So he wanted to let out anyone with

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2 And after the interviews with the senior -- with
3 me and the senior sales director, Mr. Marcello
4 Grimaldi, he told me the guy was fine for the
5 position, very good.

6 I told Mr. Libutti that I wanted to
7 hire Mr. Alton Watt. Then on the same day he
8 came back to my office and tell me he wasn't
9 comfortable with hiring Mr. Alton Watt because
10 he was black. He had an eye defection and he
11 thought that he was gay so it could create some
12 problem in the future to the company.

13 And nevertheless, I hired Alton
14 Watt because I asked him if the guy was fine
15 with the position and if he was in line, and he
16 said that he was in line and so I hired
17 Mr. Alton Watt.

18 Q. Were any other comments made by
19 Mr. Libutti to you or that you heard regarding
20 women or minorities working with him or under
21 him in New York?

22 MR. KORAL: Objection.

23 A. Well, we had some meetings. For
24 example, Ms. LoRusso didn't agree with this
25 position. He felt like it was a personal

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2 A. Because he used to complain against
3 the U.S. lawyers and regulations because he felt
4 that it was too rigid and too difficult to
5 manage for his way of managing. And so he
6 started -- on the first period he seemed to be
7 more worded about this regulation --

8 Q. More what?

9 A. More awareness, sorry, about this
10 regulation. Then he used to say he didn't care
11 if someone could write or complain against his
12 way of attitude or behavior because he didn't
13 care at all because he was the boss of North
14 America and Mexico so he could do as he wanted,
15 so he didn't care of the regulations.

16 Q. How do you know that?

17 A. He told me.

18 Q. When did he -- will you please
19 explain?

20 A. Yes, he told me that he was too
21 tired of the rigid regulation of the United
22 States. At the end, let the people write or
23 complain, I don't care.

24 Q. When you say regulation, what
25 regulation are you referring to?

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2 A. Internal the company, external by
3 the U.S. laws. Any kind of laws that we should
4 apply working in USA.

5 Q. You're referring to the
6 antidiscrimination laws?

7 A. Antidiscrimination, harassment,
8 internal climate. Anything that could be
9 related to the human resources management, so
10 the approach and the management with the people.

11 Q. How do you know he felt this way?

12 MR. KORAL: Objection.

13 A. Because he told me.

14 Q. How many times?

15 A. Several times. Specifically at the
16 end, at the end, until August, until I was in
17 the offices, the last months he didn't care at
18 all. So he was used to repeat this on several
19 occasions to me.

20 Q. Was there a concern that the
21 decision to remove Ms. LoRusso from her position
22 at Alitalia might violate the American
23 antidiscrimination laws?

24 MR. KORAL: Objection.

25 A. If he understood -- if he felt that

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2 he didn't like her approach, her way to reply to
3 him. But we didn't have a chance to discuss
4 about the position of Ms. LoRusso until he
5 wanted to have this reorganization plan.

6 Q. Explain about his reorganization
7 plan. What was he doing?

8 A. The reorganization plan, what
9 introduced me verbally because I didn't see
10 anything or I didn't sign or approve anything
11 about the reorganization plan. Simply wanted to
12 have a firing or a termination of the old people
13 in the company, especially in the higher
14 positions and to replace them with new managers,
15 new appointed people. That was the core of the
16 project.

17 Q. Did he show you any documents that
18 related to his plan to do this?

19 A. No, not in the discussions, no.

20 Q. How many times did you discuss this
21 plan with him?

22 A. Just in the locations.

23 Q. Just what?

24 A. Just when he came to my office and
25 told me that he wanted to have this organization

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2 manage because it wasn't in line with his way.
3 And so he really felt as a personal insult for
4 him to have a dialogue with her when she wasn't
5 in line with him.

6 Q. How was her gender a factor in
7 that?

8 MR. KORAL: Objection.

9 Q. If you know.

10 A. Was gender? Probably, yes. He
11 told me I don't like her, especially as a woman
12 in high position.

13 Q. Were any comments made about just
14 women in general in high positions?

15 MR. KORAL: Objection.

16 A. Generally, he told me that he
17 didn't like the idea of having women in high
18 position.

19 Q. Were there any -- as the human
20 resources director, in your discussions with
21 your supervisor, Mr. Libutti, were there any
22 times that you discussed the possibility of
23 promoting a woman to a higher position?

24 MR. KORAL: Objection.

25 A. No, he didn't tell me anything. He